

Exhibit B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE:

BROADBAND OFFICE, INC.,
Debtor.

CERTIFIED COPY

BROADBAND OFFICE, INC.,
Plaintiff,

vs.

TECHNOLOGY CREDIT
CORPORATION d/b/a EXTREME
NETWORKS CREDIT CORPORATION,
and EXTREME NETWORKS, INC.,
and KEY EQUIPMENT FINANCE,
INC., f/k/a KEY CORPORATE
CAPITAL, INC. f/k/a
LEASETEC CORPORATION,
Defendants.

CIVIL ACTION NO.
04-407 (GMS)

BANKRUPTCY CASE NO.
01-1720 (GMS)

CHAPTER 11

DEPOSITION OF RICHARD SALHANY

DATE: December 18, 2006

TIME: 9:57 a.m.

LOCATION: Pulone & Stromberg
Certified Shorthand Reporters
1550 The Alameda
Suite 150
San Jose, California 95126

REPORTED BY: Irene A. Resler
Certified Shorthand Reporter
License Number C-7685



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1 Q. Did you have your own fax machine over at
2 Extreme Networks?

3 A. Yes.

4 Q. What was that fax number?

5 A. I couldn't tell you.

6 Q. Would you know if it was 408-579-2881?

7 A. I don't recall.

8 Q. Is it -- would it be fair to say that you did
9 not fax this document that's been marked as Exhibit 22
10 out from Extreme Networks, Inc.? Is that fair?

11 A. That I did not fax this document out?

12 Q. Yes.

13 A. That's a fair statement.

14 MR. WILCOX: Okay. I have nothing further.

15 MS. CLARK: Okay. Can we take a short break to
16 grab a sandwich and come back in a half hour?

17 MR. DRESSEL: I might have some few questions
18 for him.

19 MS. CLARK: Oh, okay.

20 MR. DRESSEL: It should be quick. Just give me
21 a second. I want to make sure.

22 EXAMINATION BY MR. DRESSEL

23 BY MR. DRESSEL:

24 Q. Earlier you stated that you were assigned to
25 Extreme Networks, Inc. Who assigned you to Extreme

1 Networks, Inc.?

2 A. Who internally to our company assigned?

3 Q. Correct.

4 A. James Hartigan.

5 Q. So it was TCC that had assigned you to Extreme
6 Networks, Inc.?

7 A. Yes.

8 Q. Okay. And was that in connection with the
9 program that was between Extreme Networks, Inc. and TCC
10 and its dba Extreme Networks Credit Corporation?

11 A. Yes.

12 Q. Okay. When you dealt with customers in that
13 capacity, did you always introduce yourself as a part of
14 Extreme Networks Credit Corporation?

15 A. Yes.

16 Q. Okay. I think before you stated that the
17 customers would come to you through the sales
18 department -- Extreme Networks, Inc.; is that correct?

19 A. As one avenue, yes.

20 Q. And there were other avenues?

21 A. Um-hmm.

22 Q. What would those be?

23 A. It could have been one of the credit analysts.
24 It could have been Vito himself. It could have been the
25 controller, credit manager.

1 Q. But it would have been an employee of Extreme
2 Networks, Inc.?

3 A. Yes.

4 Q. So is it fair to say that the customer would
5 have been originally dealing with Extreme Networks, Inc.
6 before meeting with you?

7 A. Absolutely, yes.

8 Q. After that point, would you then -- would you
9 then speak directly to the customer?

10 A. Yes.

11 Q. And when you spoke to the customer at that
12 time, would you be speaking to that person in the
13 capacity as an employee of Extreme Networks Credit
14 Corporation?

15 A. Yes.

16 MR. WILCOX: I'm going to object to that. I
17 think that does ask for a legal conclusion, but --
18 BY MR. DRESSEL:

19 Q. Were any employees of Extreme Networks, Inc. to
20 your knowledge located in the main offices of TCC?

21 A. No.

22 Q. Wear with me. I'm trying to make this go as
23 painless as possible.

24 If you can look at Exhibit 12. I believe you
25 testified before that this is a basic form master lease

1 Q. Are you -- during the ten years you've been at
2 Technology Credit Corporation, to the best of your
3 knowledge, has that type of arrangement where an
4 employee of Technology Credit Corporation is physically
5 present on a daily basis --

6 A. Yes.

7 Q. -- you're familiar with other similar
8 arrangements?

9 A. Yes.

10 Q. Okay. With whom?

11 MS. CLARK: Well, I'm going to object now that
12 this seeks proprietary information. You're asking for
13 clients of our customers, people that -- companies that
14 have done leases or leasing programs with Technology
15 Credit Corporation. What's the relevance of that?

16 MR. WILCOX: The relevance is to what extent
17 this was -- well, I don't really need to explain the
18 relevance to you unless you're going to direct him not
19 to answer which I would advise you not to. However, if
20 you want to discuss it off the record, I'm happy to do
21 it. There's nothing sinister about this. He's
22 testified that there were other similar arrangements. I
23 think I'm entitled to verify that and understand them.

24 THE WITNESS: Okay. What are you looking for,
25 the names of the companies?

1 BY MR. WILCOX:

2 Q. Yeah.

3 A. Ascend Communications.

4 Q. And during what period of time?

5 A. I want to say --

6 MS. CLARK: Is this an estimate or a guess?

7 Give him an estimate.

8 THE WITNESS: It's an estimate. '94 to 2000.

9 BY MR. WILCOX:

10 Q. Who else?

11 A. 3Com.

12 Q. Okay. During what period, approximately?

13 A. '99 to 2001.

14 Q. Anyone else?

15 A. NET.

16 Q. During what period?

17 A. '96 to '99.

18 MR. DRESSEL: Did you say NET?

19 THE WITNESS: NET.

20 BY MR. WILCOX:

21 Q. Anyone else?

22 A. No. Well, I'm not sure if anyone else was
23 onsite on a day-to-day basis.

24 Q. Okay. Any other situations other than ones
25 you've mentioned in which Technology Credit Corporation

1 had an employee who used a dba of -- strike that.

2 Did Technology Credit Corporation do business
3 as 3Com Credit Corporation?

4 A. To the best of my knowledge, yes.

5 Q. Did it -- did Technology Credit Corporation do
6 business as NET Credit Corporation?

7 A. To the best of my knowledge, yes.

8 Q. Are there any other situations other than the
9 ones you've described where Technology Credit
10 Corporation did business as another entity with the
11 name, quote, "Credit Corporation," unquote, in its name?

12 A. With someone onsite?

13 Q. Not necessarily.

14 A. Yes.

15 Q. Was that part of Technology Credit
16 Corporation's standard business practices?

17 A. Yes.

18 Q. Did you ever see Mr. Hartigan sign documents on
19 behalf of 3Com Credit Corporation?

20 A. No.

21 Q. Have you ever seen documents that Mr. Hartigan
22 signed on behalf of 3Com Credit Corporation?

23 A. No.

24 Q. How about on behalf of any of those other
25 credit corporations?

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

I, Irene A. Resler, a Certified Shorthand Reporter
in and for the State of California, hereby certify that
the witness in the foregoing deposition,

RICHARD SALHANY,

was by me duly sworn to tell the truth, the whole truth,
and nothing but the truth in the within-entitled cause,
and that the foregoing is a full, true and correct
transcript of the proceedings had at taking of said
deposition, reported to the best of my ability and
transcribed under my direction.

Date: January 14, 2007. Irene A. Resler
CSR Number C-7685